Chetco River
Watershed Council

EIN#271163455
PO Box 882
Brookings OR 97415

April1, 2010

Judy Linton, Policy Specialist ACOE
Portland District, Regulatory Branch
CENWP-OD-G
P.O. Box 2946
Portland, OR 97208-2946

Re: Proposal to Issue General Permits for Gravel Mining in the Chetco River, Curry County
Corps of Engineers - Action ID: NWP-2008-71

Dear Judy Linton,

The Chetco River Watershed Council is concerned with the current health of the Chetco River and the status of its' salmon fishery. Recent studies by the USGS have produced findings that support the contention that excessive gravel extraction may play a significant role in stream channel modification, downstream banks scouring, habitat destruction and ecological impacts for rearing juvenile salmon, including listed coho.

Under the Clean Water Act (CWA) section 303 (d) list as *water quality impaired* for temperature and turbidity, as well as water quantity in summer. Oregon designated the Chetco River for the highest quality ranking for stream restoration needs in summer and fall months due to low flow conditions.

Volume and flow of water are important components of water quality. The two year rest period out of five years is an absolute necessity for the Chetco River gravel budget to compensates for artificial removal (mining) The benefits to water quality, the food chain, and the fishery are our greatest concern, the continued health of the river. The river is a vital resource to the Brookings and Harbor communities, depending upon the water quality and quantity, especially particularly during the low-flow months when instream gravel mining is conducted using heavy machinery.

With the guidance of top scientists from the USGS, the Chetco River ecosystem will be managed with greater insight into the ecological balance (water quality/quantity) and the fluvial balanced (sediment/gravel transport timeframe). The conclusions that limit the amount and timeframe of mining is a significant step toward returning this balance. Water quality concerns by the public are numerous and need to be addressed.

The Source Water Assessment Report for Harbor Water P.U.D. PWS #4100150 May 2002, Prepared by Oregon Department of Human Services and Oregon Department of Environmental Quality.

In the summary, the report identifies the Drinking Water Protection Area for the Harbor Water P.U.D. Alluvium of the Chetco River supplies the drinking water to the system. It is an unconfined alluvial (sand and gravel) aquifer with a very shallow water table (<10 feet).

2.6.1. **Highly Sensitive Criteria**. The aquifer supplying the system is shallow and unconfined and is therefore considered highly sensitive. Also contributing to the high sensitivity is the high permeability of the aquifer and the high potential for a constituent to migrate from the surface to the water table. A score of 10 indicates the most sensitive. The Harbor's aquifer is 10.

4.1.9. **Hydraulic Connection with the Chetco River**. The hydraulic connection between the aquifer and the Chetco River has been established from both hydrogeological and microbiological standpoints (Microscopic Particulate Analyses performed by the District). This has important implications to the water system in terms of protecting the resource. A spill or other chemical release within the Chetco River Watershed, and the Carey Creek and Jack Creek subwatershed areas will reach and pass through the drinking water protection area for Harbor Water P.U.D.

5. **Restoration Opportunities** (proposal)

B. **Jack Creek Restoration Project**.
In response: The area at the confluence of the Chetco River and Jack Creek is in a floodplain and is a salmon refugia and coho stronghold. The Watershed Council would like to see any authorization at the detailed planning stage with DEQ involvement.
The issue of turbidity and impact has not been addressed. Jack Creek is already designated a coho habitat where large numbers of coho have been documented.

The area lies above the drinking water intake for Harbor. A thorough Biological Opinion needs to be conducted on the potential impacts of this proposed project on Harbor P.U.D. Water. The issue of water turbidity monitoring must be addressed and the Watershed Council requests that all the data gathered on turbidity, as per permit requirement (NWP-2008-71) is made available.

The statement that "The details of the project design will be developed in consultation with ODFW and NOAA fisheries personnel" should also include DEQ personnel if the project is to move forward.

C. **Rip-rap Removal Project**. The Watershed Council is against the removal of several large rock/boulders in the middle of the mainstem of the Chetco River as it will impact habitat and refugia for salmon and steelhead

In 2008 two snorkel surveys observed rearing juvenile coho in this particular reach of the Chetco River. One of the surveys was conducted by NOAA fisheries. Operation of heavy equipment can destroy spawning and rearing habitat, also juveniles and macro-invertebrates. Reducing "the risk of altering Chetco flows" is debatable since, "Large rivers, such as the Chetco River, routinely move across their floodplains."
(NOAA/MNFS letter January 12, 2008)

The Watershed Council is unable to find any reference to prior permits for rip-rap construction "on the south bank upstream of the Freeman Bar extraction site."

The Chetco River Watershed Council supports the Sediment Removal From Active Stream Channels in Oregon: Considerations for Federal Agencies for the Evaluation of Sediment Removal Actions from Oregon Streams.
Developed with support from US Fish and Wildlife Service, National Marine Fisheries Service, US Army Corps of Engineers, US Environmental Protection Agency. (March 1, 2006)
And scientific findings and conclusions, as stated in the Corps of Engineers Action ID: NWP-2008-71, along with DEQ evaluation report and findings pursuant to Section 401 of the Federal Clean Water Act.

Thank you for the opportunity to comment,

Carl Page - President